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ATTORNEYS

September 16, 2022

VIA ELECTRONIC CASE FILING

Honorable John P. Cronan
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *Daniel Retter v. Bolivarian Republic of Venezuela*
Case No.: 1:20-cv-08495 (JPC)

Dear Judge Cronan:

The undersigned represents the Plaintiff in the above-referenced matter. I write to provide the Court with a status update. On February 23, 2021, the Court granted Plaintiff's application to file an amended complaint and directed that service be effectuated in accordance with the Foreign Sovereign Immunities Act ("FSIA") on or before December 23, 2021. On December 16, 2021, the Court granted Plaintiff's application to extend its time to serve the amended complaint to June 24, 2022. On June 22, 2022, the Court granted Plaintiff's second application to extend its time to serve the amended complaint to September 24, 2022.

Plaintiff is in the process of attempting to effectuate service of process on the Defendant via diplomatic channels pursuant to FSIA § 1608(a)(4). Plaintiff has submitted all required documents to the Clerk of Court for transmission to the United States Department of State for service on the Defendant pursuant to FSIA § 1608(a)(4) and 22 C.F.R. § 93.1(c). The Clerk of Court mailed these documents to the Department of State on December 13, 2021. [DE 25]. After numerous attempts, Plaintiff finally made contact with the Department of State on July 27, 2022. The Department of State advised Plaintiff that a revised summons providing for a response within 60 days pursuant to the FSIA was required. Plaintiff has since obtained the executed summons from the Clerk of Court, has obtained a translated copy of the summons in Spanish, and has emailed and mailed these documents to the Department of State for service on the Defendant. On September 13, 2022, the Department of State advised Plaintiff that it did not receive Plaintiff's documents and requested

that they be resent. On September 15, 2022, Plaintiff again mailed these documents to the Department of State for Service on the Defendant.

In light of the foregoing, Plaintiff respectfully requests a six (6) month extension of time to complete service of process on the Defendant. This is Plaintiff's third application for the relief requested.

Respectfully submitted,

PARDALIS & NOHAVICKA, LLP

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